

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2005 SEP 20 P 4: 37

CLERK'S OFFICE
AT BALTIMORE

IN RE MICROSOFT CORP.
ANTITRUST LITIGATION.

MDL Docket No. 1332

BY _____ DEPUTY

Hon. J. Frederick Motz

This Document relates to:

Burst.com, Inc. v.
Microsoft Corp.,


Civil Action No JFM-02-cv-2952

STIPULATED ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to the Federal Rules of Civil Procedure and the Settlement Agreement dated April 4, 2005 entered between plaintiff Burst.com, Inc. ("Burst") and defendant Microsoft Corporation ("Microsoft"), the parties hereto, by their undersigned counsel, stipulate to the dismissal with prejudice of the above-captioned case.

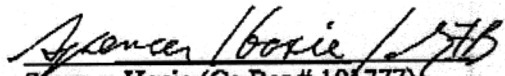
Burst and Microsoft will each bear its own costs and expenses in connection with the above-captioned case.

SO ORDERED this 20th day of September, 2005.



Hon. J. Frederick Motz
United States District Judge

Agreed to by:



Spencer Hosie (Ca Bar # 104777)

Bruce J. Wecker

John Burritt McArthur

George F. Bishop

James T. McCart

George Frost

HOSIE, FROST, LARGE & McARTHUR

One Market, Spear Street Tower, 22nd Floor

San Francisco, CA 94105

415.247.6000

Robert Yorio

Colby Springer

CARR & FERRELL, LLP

2200 Geng Road

Palo Alto, CA 94303

650.812.3400

Attorneys for Plaintiff Burst.com, Inc.



G. Stewart Webb, Jr.

(Fed. Bar No. 00828)

VENABLE LLP

Two Hopkins Plaza, Suite 1800

Baltimore, MD 21201

410.244.7400

Charles W. Douglas

Richard A. Cederth

John W. Treece

David M. Schiffman

SIDLEY AUSTIN BROWN & WOOD

Bank One Plaza, 10 South Dearborn

Chicago, IL 60603

312.853.7000

David B. Tulchin

Marc De Leeuw

SULLIVAN & CROMWELL LLP

125 Broad Street

New York, NY 10004-2498

212.558.4000

Thomas W. Burt

Richard J. Wallis

Steven J. Aeschbacher

C. Andrew Culbert

MICROSOFT CORPORATION

One Microsoft Way

Redmond, WA 98502

425.936.8080

Attorneys for Defendant Microsoft Corporation